

**ENTERED**

November 03, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

THE GENERAL LAND OFFICE OF THE §  
STATE OF TEXAS; and GEORGE P. §  
BUSH, in his official capacity as §  
Commissioner of the General Land Office §  
of the State of Texas, §

Plaintiffs, §

VS. §

JOSEPH R. BIDEN, in his official capacity §  
as President of the United States of §  
America; UNITED STATES §  
DEPARTMENT OF HOMELAND §  
SECURITY; and ALEJANDRO §  
MAYORKAS, in his official capacity as §  
Secretary of the United States Department §  
of Homeland Security, §

Defendants. §

CIVIL ACTION NO. 7:21-cv-00272

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THE STATE OF MISSOURI; and THE §  
STATE OF TEXAS, §

Plaintiffs, §

VS. §

JOSEPH R. BIDEN, JR., in his official §  
capacity as President of the United States of §  
America; THE UNITED STATES OF §  
AMERICA; ALEJANDRO N. §  
MAYORKAS, in his official capacity as §  
Secretary of the United States Department §  
of Homeland Security; UNITED STATES §  
DEPARTMENT OF HOMELAND §  
SECURITY; TROY A. MILLER, in his §  
official capacity as the Acting §  
Commissioner of the United States Customs §  
and Border Protection; and UNITED

CIVIL ACTION NO. 7:21-cv-00420

(Formerly  
CIVIL ACTION NO. 6:21-cv-00052)

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STATES CUSTOMS AND BORDER	§
PROTECTION,	§
	§
Defendants.	§

**ORDER**

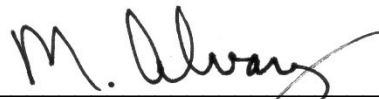
In *General Land Office of the State of Texas v. Biden*, No. 7:21-cv-272, Dkt. No. 20 (S.D. Tex. Oct. 25, 2021) (Alvarez, J.), the government defendants moved to consolidate their case, viz. 7:21-cv-272, with civil action number 6:21-cv-52, now 7:21-cv-420. The motion indicates that the Plaintiffs in 7:21-cv-420, viz. the States of Missouri and Texas, oppose consolidation whereas the plaintiffs in 7:21-cv-272 do not oppose consolidation. Accordingly, the Court **ORDERS** Plaintiffs Missouri and Texas to file their response brief to defendants' motion to consolidate in civil action number 7:21-cv-272 no later than **November 23, 2021**. Failure to file a timely response brief will render Defendants' motion to consolidate in 7:21-cv-272 unopposed by operation of Local Rule 7.4.

The Court also considers the "Motion to Dismiss by the Federal Government Defendants" filed on October 18, 2021 in civil action number 7:21-cv-272. The Court **ORDERS** that briefing and consideration of the motion to dismiss is **STAYED** pending resolution of the consolidation issue.

With respect to the initial pretrial and scheduling conference, the Court **ORDERS** all parties in civil action numbers 7:21-cv-420 and 7:21-cv-272 to follow the July 14, 2021 "Order for Conference and Disclosure of Interested Parties" in 7:21-cv-272, with the amendment that the initial pretrial and scheduling conference is set for **February 15, 2022, at 9:00 a.m.**

IT IS SO ORDERED.

DONE at McAllen, Texas, this 3rd day of November 2021.




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Micaela Alvarez  
United States District Judge